

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DANIEL S. SAMADI, MD, PC, a New Jersey professional corporation and NJHAC, LLC, a New Jersey Limited Liability Company,

Plaintiffs,

v.

OXFORD INSURANCE COMPANY, LLC, a Delaware Limited Liability Company and SERIES A OF OXFORD INSURANCE COMPANY, LLC, a Delaware Series entity,

Defendants.

Civil Action No. 19-2018-RGA

MEMORANDUM ORDER

Before me is a fully briefed motion for judgment on the pleadings. (D.I. 12, 13, 19, 27).

Plaintiffs' answering brief raises theories and facts not included in the complaint. Defendants have pointed this out in their reply brief. (D.I. 27 at 1). In the interest of justice, and since a party cannot amend a complaint by making factual assertions in a brief, I will give Plaintiffs an opportunity to file an amended complaint, providing that they do so by July 3, 2020.

Entered this 18th day of June, 2020.

/s Richard G. Andrews
United States District Judge